

UNITED STATES OF AMERICA
UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

VERDELL E. TOLES, SR.,)	
)	
Plaintiff,)	Case No. 1:05-cv-109
)	
v.)	Honorable David W. McKeague
)	
DEPARTMENT OF HOUSING AND)	
URBAN DEVELOPMENT, et al.,)	<u>JUDGMENT</u>
)	
Defendant.)	
)	

In accordance with the memorandum opinion filed this date:

IT IS ORDERED that plaintiff's objections to the report and recommendation of the magistrate judge (captioned Notice of Appeal, docket # 20) be and hereby are OVERRULED.

IT IS FURTHER ORDERED that the report and recommendation of the magistrate judge (docket # 19) is hereby ADOPTED as the opinion of the court.

IT IS FURTHER ORDERED that the motion of defendants Department of Housing and Urban Development and Louis Berra to dismiss this action for failure to state a claim upon which relief can be granted, Fed. R. Civ. P. 12(b)(6) (docket # 12), be and hereby is GRANTED and that this action is DISMISSED against those defendants with prejudice.

IT IS FURTHER ORDERED that plaintiff's motion for a preliminary injunction (docket # 18) be and hereby is DENIED.

IT IS FURTHER ORDERED that all claims against defendant Carlos Sanchez be and hereby are REMANDED to the Kent County Circuit Court for further proceedings.

Dated: May 31, 2005

/s/ David W. McKeague
David W. McKeague
United States District Judge